

California Regional Water Quality Control Board
North Coast Region

5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403

NOTICE OF PUBLIC HEARING
AND ISSUANCE
OF A COMPLAINT
FOR
ADMINISTRATIVE CIVIL LIABILITY
IN THE MATTER OF

FAIRHAVEN POWER COMPANY

Humboldt County

On March 28, 2003, the California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), Executive Officer issued Complaint No. R1-2002-0054A for Administrative Civil Liability to Fairhaven Power Company in the amount of \$80,000 for alleged violations of California Water Code Section 13267(b) Order issued March 14, 2002.

This notice is to inform the public of the issuance of the Complaint and that a 30-day public comment period has commenced. A public hearing to consider the matter has also been tentatively scheduled. If no significant comments are received during the comment period, Fairhaven Power Company will have the opportunity to settle the matter by paying the proposed administrative civil liability. If Fairhaven Power Company contests the issuance of the Complaint, the Regional Water Board will hold a public hearing on this matter on June 26, 2003 at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California at 9:00 a.m., or as soon thereafter as possible. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed civil liability; to refer the matter to the Attorney General for recovery of judicial liability; or take other enforcement action.

The Board's staff, the discharger, and other interested persons will be given an opportunity to present evidence in this matter at the hearing, if held. All those who plan to testify at the hearing should submit their written testimony in advance of the hearing. Written testimony received by April 28, 2003, will be transmitted to the Regional Water Board members. Persons submitting written testimony should be present at the hearing to affirm that the written testimony is true and correct and be available for cross-examination. Testimony at the above-scheduled proposed hearing may be limited to a summary of the above-described written evidence, provided, however, that if good cause can be shown for failure to make an earlier written submittal, the Board may allow further submission of oral or written testimony. If this showing is not made, the Board may refuse to accept such further oral or written testimony.

The Complaint is available for review on the Regional Water Board web site at <http://www.swrcb.ca.gov/rwqcb1/orders.html>. In addition, the evidentiary documents and file may be inspected or copied at the Regional Water Board office at 5550 Skylane Boulevard, Suite A, Santa Rosa, California, from 1:30 p.m. to 4:30 p.m. on Mondays, from 8:30 a.m. to 11:30 a.m. and from 1:30 p.m. 4:30 p.m. on Tuesdays, Wednesdays and Thursdays and from 8:30 a.m. to 11:30 a.m. on Fridays. Persons wishing to review said documents should telephone the Regional Water Board Office at (707) 576-2220 to schedule an appointment. For further information, please call Roy O'Connor or Tom Dunbar of the Regional Water Board staff at (707) 576-2220.

Susan A. Warner
Executive Officer

March 28, 2003

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